

REMARKS

Claims 18-39 are cancelled and Claims 40-61 are added. Claims 40-61 remain in the application. No new matter is added by the amendments to the claims.

The Rejections:

In the Examiner's Answer dated July 1, 2010, the following rejections are set forth:

Claims 36 and 37 are rejected under 35 U.S.C. 112, second paragraph.

Claims 18-27, 37 and 39 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Claims 38 and 39 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 18-20, and 22-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gronemeyer et al. (U.S. Patent Number: 6,363,359) in view of Ives et al. ("After the Sale: Leveraging Maintenance with Information Technology", MIS Quarterly, Vol. 12, No 1, March 1988, pp 7-21).

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gronemeyer in view of Ives, in further view of Palme et al (RFC 2557, MIME Encapsulation of Aggregate Documents, such as HTML).

Claims 18 and 35 are rejected under 35 USC § 112, ¶ 2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Response:

Cancelled Claims 18-39 are rewritten as new Claims 40-49, 52-60, 50, 61 and 51 respectively.

Applicant believes that Claims 40, 50, 59 and 60 overcome the rejection of Claims 36 and 37 under 35 U.S.C. 112, second paragraph, by requiring the "usage parameter".

Applicant believes that Claim 40 overcomes the rejection of Claims 18-27, 37 and 39 under 35 U.S.C. 112, first paragraph, by replacing "input means" with the term "remote monitor interface" (Fig. 1; Page 6, Line 30).

Applicant believes that Claims 40, 51, 59 and 61 overcome the rejection of Claims 38 and 39 under 35 U.S.C. 112, second paragraph, by requiring the "environmental parameter".

Applicant believes that Claims 40 and 59 overcome the rejection of Claims 18 and 35 under 35 U.S.C. 112, second paragraph, by changing the "offer generator means" to the term "offer generator".

Regarding the rejection of Claims 18-20 and 22-39 under 35 U.S.C. 103(a) as being unpatentable over Gronemeyer in view of Ives, the Examiner stated that Gronemeyer discloses an apparatus for using data obtained from remote monitoring of customer equipment for service purposes to generate product sales offers to customers comprising:

- a. An input means, located at and connected to an installation, for receiving dynamic parametric data information related to electrical and mechanical operating parameters of customer equipment in the installation being remotely monitored, said dynamic parametric data information being suitable for service purposes. (Col 2, lines 41-57; and Col 3, line 11 through Col 4, line 24);
- b. An equipment database storage device remote from the installation and connected to said input means for receiving and storing said parametric data information in a form suitable for determining when to take corrective service action at the installation, based upon said dynamic parametric data information. (Col 5, lines 47-67) (Gronemeyer references a log file in this section that is transmitted to the server. The examiner has interpreted this, as presented in context, as a file of records relating to software and hardware on the consumers computer. A database is simply a large collection of organized data. As such, the log file as described is considered a database. In order for the server to perform operations on this database to determine the related products needed by the customer, it must inherently be stored in memory on the server. At a very minimum it would need to be stored in a temporary memory. Additionally, the examiner interprets parametric data to be data relating to parameters, measurements and values upon which the operation of a device relies. Therefore, information regarding the hardware and software on a computing system, which is included in the log file is parametric data.);
- c. A product database storage device for storing product information related to characteristics of a plurality of products related to the customer equipment, said product information for each said characteristic including a limit

corresponding to a possible value of said dynamic parametric data information of an associated one of said operating parameters. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48) (In Col 1, lines 29-46 Gronemeyer discloses that a product database and a cross-reference database are obvious improvements that have previously been made in the art. As such, in Col 5, lines 47-67, when the server is described as having goods and wares separated into different categories that interact with a log file to generates sales offers it inherently contains such databases); and

d. An offer generator means connected to said equipment database storage device and to said product database storage device for comparing a value of said stored parametric data information of a selected one of said operating parameters with at least one of said stored product information limits corresponding to said selected one operating parameter, said offer generator means generating a sales offer for a product associated with said limit directed to the customer associated with the customer equipment when said value and said limit have a predetermined relationship representing a maintenance requirement. (Col 3, lines 11-35; and Col 5, line 47 through Col 6, line 48) (The applicant asserts that Gronemeyer does not disclose the use of limits corresponding to possible values of parametric data related to operating parameters for creating offers. However, Gronemeyer specifically discloses the use of parametric data relating to computer hard drives for determining offers that are displayed to a customer).

Applicant's new Claims 40-61 require the use of "dynamic parametric data information" obtained from the remote monitoring of customer equipment in an elevator installation or an escalator installation for service purposes, the dynamic parametric data information being related to electrical and mechanical operating parameters of the customer equipment. Such information is defined by Applicant as:

The monitored information is typically parametric data, such as functional, performance, and environmental data. (Page 2, lines 3-4)

The present invention obtains from remotely monitored equipment various data related to the operating parameters of the equipment ... (Page 3, lines 1-2)

For example, parameters that can be used to determine specific customer product offering opportunities include, but are not limited to, application modifications such as changes in software, mode of operation, and features, usage parameters such as run time, trips per hour, and cycle times, environmental parameters such as temperature changes, utility power, and weather, and equipment performance parameters such as mechanical deterioration. (Page 3, lines 18-23)

As noted above, in the elevator service industry, it is becoming more common for service companies to utilize remote monitoring of the elevators and escalators under service to help improve service productivity. In doing so, these service companies are centrally monitoring events, performance and environmental factors on the target elevator or escalator systems under service. This data is typically stored in a central database, or an equipment database. (Page 3, lines 24-29)

In a preferred embodiment, an elevator system is operated in a normal manner, and is monitored with a remote monitor interface that transmits specific parametric data from the elevator system over a medium to a data concentrator. The data concentrator then transmits the data to a central database called the elevator database, or the equipment database. (Page 4, lines 13-17)

The equipment 12, for example an elevator system or escalator system, includes components (not shown) performing a plurality of processes that are monitored, for example for control or safety reasons, including mechanical parameters of the elevator or escalator machinery. Each monitored process has at least one data point at which parametric data is generated. (Page 6, lines 22-26)

The process operating conditions of the customer equipment 12, represented by the parametric data, are monitored by a remote monitor interface 14 connected to the data points. The parametric data generated by the equipment 12 can include, but is not limited to, functional, performance, and environmental data. (Page 6, Lines 29-32)

An example of a data point being monitored is an ambient temperature of an elevator equipment room wherein a temperature value is generated as parametric data from the interface 14 to the data collector 18 and stored in the equipment database 20. The service company typically monitors the value of the temperature reading with a computer to determine whether corrective action should be taken. For example, a too high temperature might require the elevator system to be shut down remotely and a service technician dispatched to locate the problem. A monitoring computer (not shown) connected to the database 20 can signal an operator and/or automatically take the necessary action to shut down the elevator system and dispatch the service technician. (Page 7, lines 21-30)

The method according to the present invention is shown in the Fig. 2. The method begins at Start 40 and enters a Read step 42 wherein parametric data is read from the customer equipment. The parametric data information (PDI) is stored in the equipment database 20 in a Store step 44. The steps 42 and 44 are typically repeated on a regular schedule that is independent of the rest of the method steps. (Page 9, lines 10-14)

Applicant also distinguishes "dynamic parametric data information" from "static information" such as software and hardware configurations:

The data in the equipment database is characterized or configured so that each monitored characteristic of the equipment has a data value. In addition to the dynamically gathered parametric data described above, the equipment database may also store static data, such as installation dates, equipment model numbers, and the like. (Page 4, lines 18-21) (underlining added)

The parametric data gathered by the remote monitor interface 14 (parametric data information), specific installation information for the customer equipment 12 (installation information) and information specific to the owner or operator of the customer equipment 12 (customer information) all are stored in the equipment database 20. (Page 7, lines 13-17) (underlining added)

New Claim 40 recites "customer equipment in an elevator installation or an escalator installation generating dynamic parametric data information related to electrical and mechanical operating parameters of said customer equipment, the installation being remotely monitored to receive said dynamic parametric data information on a regular basis for service purposes". In Gronemeyer, the client computer 302 is not being remotely monitored on a regular basis and is not being remotely monitored for service purposes. There is no disclosure of the computer generating dynamic parametric data information related to electrical and mechanical operating parameters of the customer equipment. The Gronemeyer system only operates when the client connects the client computer to a specific web server and then only generates "static information" about the client computer configuration.

Applicant's Claim 40 recites "a remote monitor interface located at the installation and being connected to said customer equipment for receiving said dynamic parametric data information when generated" which element was termed the "input means" in cancelled Claim 18. The Examiner did not identify the "input means" in the Gronemeyer drawings, but did cite Col 2, lines 41-57; and Col 3, line 11 through Col 4, line 24 as describing such an element. It appears that the Examiner is referring to the "sentinel" which resides on the client computer. This sentinel is activated after the client connects to a web site and upon receiving a query from the web server to inspect the

client computer and determine needed goods or services based upon the configuration of the client computer. (Col 2, lines 41-53) Thus, the Gronemeyer sentinel is not receiving data when generated by the client computer, but instead is inspecting the computer only upon connection to the web site by the client to obtain specific data required by the web server.

Regarding the equipment database storage device recited in Claim 40, the Examiner identified the Gronemeyer log file (Col 5, lines 47-67). However, Claim 40 recites that the equipment database storage device is remote from the installation and is connected to the remote monitor interface for receiving and storing the parametric data information in a form suitable for determining when to take corrective service action at the installation. The Gronemeyer log file is stored on the client computer so that it is not remote from the installation.

Furthermore, the Gronemeyer log file only contains configuration information as to currently installed hardware and software. (Col 5, lines 59-61) The Examiner interprets parametric data to be data relating to parameters, measurements and values upon which the operation of a device relies. Therefore, according to the Examiner, information regarding the hardware and software on a computing system, which is included in the log file is parametric data. The Examiner's interpretation of "parametric data" does not apply to that term as used in Applicant's description and claims. As Applicant explains on Page 6, Lines 20-32, the parametric data represents the process operating conditions of the customer equipment. Therefore, parametric data is dynamic data that is subject to changes as the customer installation being monitored is operated. Parametric data is not the "static information" representing the configuration of hardware and software, but is information as to usage, environment and equipment performance.

The Examiner stated that the Gronemeyer log file is considered a database and in order for the server to perform operations on this database to determine the related products needed by the customer, it must inherently be stored in memory on the server or at a very minimum it would need to be stored in a temporary memory. While the log file may be a database, it does not receive and store the parametric data information on

a regular basis or in a form suitable for determining when to take corrective service action at the installation. As explained above, the web server must be contacted by the client computer in order to receive the log file. The only mention of a service action is that the sentinel can detect when the computer cannot successfully complete a POST operation. However, the POST operation is not related to the log file.

Gronemeyer clearly does not teach or suggest using dynamic parametric data information. Regarding the information collected by the sentinel, Gronemeyer states:

The invention generally relates to offering goods and services for sale based on an automatic detection of a client's configuration, and more particularly, to performing a detailed inspection of the client's hardware and software configuration to determine necessary, likely necessary, and suggested updates for the client, and automatically and proactively take action. (Col 1, lines 6-13) (underlining added)

The invention provides for facilitating e-commerce transactions between a client and a server over a network. A client is searched for installed goods, and an inspection log is prepared. The inspection log is submitted to the server, and a list of goods or services offered by the server is received. The list is determined according to the inspection log. (Col 1, lines 62-67) (underlining added)

A sentinel is responsible for inspecting the client computing device and determining needed goods or services based on the configuration of the client computing device. (Col 2, lines 50-53) (underlining added)

For example, a user of the client computing device could navigate to a technical support page, where the support page includes embedded code to query the client computing device about its configuration (e.g., storage configuration, memory configuration, operating system, etc.). (Col 3, lines 56-61) (underlining added)

This sentinel's inspection results in a log file of currently installed hardware and software related to the selected server category. The log is then submitted 116 to the server. In one embodiment, the log only contains information related to the selected server category. In another embodiment, the log contains data about all client hardware and software, but only a relevant portion is submitted to the server. In another embodiment, the entire log of all hardware and software is submitted to the server. (Col 5, lines 59-67) (underlining added)

In response to receiving the client computing device's configuration information, the server sends 122 the client computing device information

concerning available upgrades and updates for the client computing device.
(Col 6, lines 15-18) (underlining added)

When the sentinel is loaded 200, it begins with an inspection 202 of the client computing device configuration, identifying hardware and software installed within the client computing device. A configuration log is prepared 204 of the inspection results, and stored in a memory associated with the sentinel. It is expected that the sentinel store its log in NVRAM for later review by other hardware or software devices (e.g., the FIG. 1 embodiment). (Col 7, lines 23-30) (underlining added)

Gronemeyer teaches only the use of configuration data identifying installed software and hardware. Nowhere does Gronemeyer teach "generating dynamic parametric data information related to electrical and mechanical operating parameters of said customer equipment" as set forth in Applicant's claims.

The Examiner stated that while Gronemeyer does not explicitly state that the remotely monitored equipment includes at least one of an elevator installation and an escalator installation, it is disclosed that the remotely monitored "computing device may be a computer or other intelligent device, such as routers and switches, in addition to consumer devices such as telephones, radios, appliances, etc" (Col 9, lines 1-20). The analogous teaching of Ives further discloses intelligent elevators which have "self-diagnostic control systems that automatically notify Otis Elevator when maintenance is required (Ives: Page 13, Col 1, lines 3-19) as well as examples of the types of operating parameters that are monitored such as usage parameters (Ives: Page 12, Fig 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system disclosed by Gronemeyer in an elevator or escalator installation. One would have motivated to monitor such installations in order to provide elevator companies with the "the means to monitor and control the service side of their business" (Ives: Page 8, Col 2, lines 19-23).

Ives (Page 13, Col. 1, Lines 3-19) merely states that Otis Elevator "has begun equipping elevators with self-diagnostic control systems that automatically notify Otis when maintenance is required." No details about the systems are given. Nothing is mentioned about an equipment database storage device that is remote from the installation and is connected to a remote monitor interface for receiving and storing

dynamic parametric data information in a form suitable for determining when to take corrective service action at the installation as recited in Applicant's claims. Thus, the combination of Gronemeyer and Ives suggested by the Examiner merely results in the Gronemeyer sentinel sending a maintenance notification. However, Gronemeyer already describes such an operation wherein the sentinel can detect when the computer cannot successfully complete a POST operation.

Fig. 3 of Ives does show that "usage" is a trigger to the maintenance model, but as explained above this operation takes place at the elevator control system. There is no suggestion that the "usage" information is sent to a remote monitoring site as recited in Applicant's claims.

The statement that the Otis system provides headquarters management with "the means to monitor and control the service side of their business" (Ives: Page 8, Col 2, lines 19-23) refers to the "new" system that routes all service calls to a centralized corporate switchboard where operators dispatch service representatives from the local branch offices (Page 8, Col 2, lines 14-17). That statement does not suggest that the Gronemeyer sentinel should be modified to send dynamic parametric data information to a remote monitoring site.


Palme describes MIME formatted messages for transmission of complete multi-resource HTML multimedia documents and does not provide the missing claimed subject matter.

Applicant agrees with the Examiner that Gronemeyer and Ives do not teach using limits in the form of thresholds and ranges.

Applicant's comments with respect to Claim 40 also apply to independent Claims 52 and 59.

In view of the amendments to the claims and the above arguments, Applicant believes that the claims of record now define patentable subject matter over the art of record. Accordingly, an early Notice of Allowance is respectfully requested.

Respectfully submitted,


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